

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MARY ANN (SHAW) NAWROCKI,

Plaintiff,

v.

RORY FOSTER,

Defendant.

ORDER

18-cv-993-jdp

On November 16, 2018, I dismissed a case brought by pro se plaintiff Mary Ann Nawrocki in which she alleged that defendant Attorney Rory Foster stole ideas for products that she had been developing. *See Nawrocki v. Foster*, No. 18-cv-601-jdp, 2018 WL 6031185 (W.D. Wis. Nov. 16, 2018). I concluded that she did not state any claims for relief because all she had alleged was that she consulted with a lawyer who ultimately decided not to represent her regarding her products or on a discrimination lawsuit she was planning. *Id.* Now Nawrocki has filed a brand-new lawsuit against Foster.

I will dismiss the new lawsuit for the same reasons I dismissed the last one. Nawrocki now contends that Foster violated her Sixth Amendment rights by giving her ideas to a third party without her permission. But the Sixth Amendment, which concerns rights afforded to criminal defendants, does not apply to the type of allegations Nawrocki makes here against a private citizen. She might be able to state a claim if Foster truly stole her plans and gave them to a third party. But in a letter attached to the complaint, she makes clear that she does not actually know that he shared her information; she assumes that he did so because she believes that there would be no other reason for an intellectual property attorney to choose to meet

with her at the Urban league. *See* Dkt. 1-1. But her mere speculation that Foster acted maliciously toward her is not enough to support a claim.

Nawrocki also mentions her discrimination lawsuit against the Target Corporation and she has filed a motion asking this court to award her disability benefits. Dkt. 2. Her lawsuit against Target is still pending in this court, *see* no. 18-cv-50-jdp, and I have already dismissed her social security benefits case, *see* no. 18-cv-51-jdp. Events concerning her employment or injury at Target have nothing to do with the specific claims she has attempted to bring against Foster, so I will not consider those allegations further.

ORDER

IT IS ORDERED that:

1. This case is DISMISSED for plaintiff Mary Ann Nawrocki's failure to state a claim upon which relief may be granted.
2. Plaintiff's motion for the court to award her disability benefits, Dkt. 2, is DENIED.
3. The clerk of court is directed to enter judgment for defendant and close this case.

Entered January 7, 2019.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge